

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

In the Matter of	)	
	)	
The 4.9 GHz Band Transferred from	)	WT Docket No. 00-32
Federal Government Use	)	

To: The Commission

**COMMENTS OF APCO  
IN RESPONSE TO  
PETITIONS FOR RECONSIDERATION AND CLARIFICATION**

The Association of Public-Safety Communications Officials-International, Inc. (“APCO”) hereby submits the following brief comments in response to the Petitions for Reconsideration and Clarification filed in the above-captioned proceeding by the Los Angeles County Sheriff’s Department (“LASD”) and Microwave Radio Communications (“MRC”). *Second Report and Order and Further Notice of Proposed Rulemaking*, 17 FCC Rcd 3955 (released February 27, 2002), *Public Notice*, Report No. 2557 (released June 10, 2002).

APCO is the nation's oldest and largest public safety communications organization. Most of APCO's over 15,000 individual members are state or local government employees who manage and operate police, fire, emergency medical, forestry conservation, highway maintenance, disaster relief, and other communications systems that protect the safety of life, health and property. These systems include radio

communication operations, telecommunications and information networks, and Public Safety Answering Points (PSAPs).

APCO agrees with the Petitioners that public safety agencies increasingly have a need to provide airborne video capability for command and control of emergency operations related to man-made and natural disasters, fires, hostage situations, vehicle pursuits, crowd control, and other situations involving the safety of life, health and property. The 4.9 GHz band could provide some of that critical emergency capability. Therefore, APCO agrees that the Commission should reconsider and revise the restrictions on aeronautical mobile services adopted in the *Second Report and Order*.

APCO's comments in response to the *Further Notice of Proposed Rulemaking* in this proceeding will include a recommended channel plan and other rules to govern public safety use of the 4.9 GHz band. APCO's proposals include flexibility for different types of applications, including state-of-the-art, spectrum-efficient video transmissions. Such use will need to be carefully coordinated and subject to regional planning to avoid interference and maximize spectrum utilization.

## CONCLUSION

Therefore, for the reasons set forth above and in the LASD and MRC petitions, the Commission should reconsider the restrictions placed on aeronautical mobile services in the 4.9 GHz band.

Respectfully submitted,

ASSOCIATION OF PUBLIC-SAFETY  
COMMUNICATIONS OFFICIALS-  
INTERNATIONAL, INC.

By:

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July 28, 2002

## **CERTIFICATE OF SERVICE**

I, Stella Hughes, a secretary in the law firm of Shook, Hardy & Bacon, LLP, hereby certify that a copy of the foregoing “Comments of APCO in Response to Petitions for Reconsideration and Clarification” was served by First Class U.S. mail, postage prepaid this 28<sup>th</sup> day of June 2002, upon the following:

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